

Conventions applies to the conflict with al Qaeda by providing definitions rooted in United States law for the standards of conduct prescribed by Common Article 3.

The military commission procedures contained in this draft legislation reflect the result of an extended deliberation both within the executive branch and between representatives of my Administration and Members of Congress. The draft legislation would establish a Code of Military Commissions that tracks the courts-martial procedures of the Uniform Code of Military Justice, but that departs from those procedures where they would be impracticable or inappropriate for the trial of unlawful enemy combatants captured in the midst of an ongoing armed conflict, under circumstances far different from those typically encountered by military prosecutors.

Five years after the mass murders of 9/11, it is time for the United States to begin to prosecute captured al Qaeda members for the serious crimes that many of them have committed against United States citizens and our allies abroad. As we provide terrorists the justice and due process that they denied their victims, we demonstrate that our Nation remains committed to the rule of law.

I ask that the Congress carefully consider this legislation and respectfully urge its speedy passage for enactment into law.

GEORGE W. BUSH.

THE WHITE HOUSE, September 6, 2006.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3861. A bill to facilitate bringing to justice terrorists and other unlawful enemy combatants through full and fair trials by military commissions, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-8057. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the Department of Energy and Residual Department Standards Regulation" ((RIN1990-AA19)(RIN3209-AA15)) received on August 18, 2006; to the Committee on Energy and Natural Resources.

EC-8058. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to plutonium storage at the Department of Energy's Savannah River Site; to the Committee on Energy and Natural Resources.

EC-8059. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "State Abandoned Mine Land Reclamation Plan"

(MS-016-FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8060. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Topsoil Redistribution and Revegetation Success Standards" (RIN1029-AC02) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8061. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Wyoming Regulatory Program" (WY-034-FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8062. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "West Virginia Regulatory Program" (WV-109-FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8063. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter" (RIN1018-AU21) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8064. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout (*Onchorhynchus gilae*) From Endangered to Threatened; Special Rule for Gila Trout in New Mexico and Arizona" (RIN1018-AH57) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8065. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Northern Aplomado Falcons in New Mexico and Arizona" (RIN1018-AI80) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8066. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of a bill entitled "Buffalo Soldiers in the National Parks Study Act"; to the Committee on Energy and Natural Resources.

EC-8067. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the status of Exxon and Stripper Well oil overcharge funds as of September 30, 2005; to the Committee on Energy and Natural Resources.

EC-8068. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska, Subpart A; Makhnati Island Area" (RIN1018-AU70) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8069. A communication from the Chief, Policy and Directives Management Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Revision of Federal Migratory Bird Hunting and Conservation

Stamp (Duck Stamp) Contest Regulations" (RIN1018-AU56) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8070. A communication from the Assistant Secretary for Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Service of Official Correspondence" (RIN1010-AD22) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC-8071. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's quarterly report on the status of its licensing and regulatory duties; to the Committee on Energy and Natural Resources.

EC-8072. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for Health, received on August 24, 2006; to the Committee on Veterans' Affairs.

EC-8073. A communication from the Assistant to the Secretary for Regulations Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Veterans Benefits Act of 2003 and Veterans Benefits Improvement Act of 2004" (RIN2900-AM27) received on September 5, 2006; to the Committee on Veterans' Affairs.

EC-8074. A communication from the Chief of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Definition of Psychosis for Certain VA Purposes" (RIN2900-AK21) received on September 5, 2006; to the Committee on Veterans' Affairs.

EC-8075. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Policy and Planning, received on September 5, 2006; to the Committee on Veterans' Affairs.

EC-8076. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference" (FRL 8214-1) received on September 6, 2006; to the Committee on Environment and Public Works.

EC-8077. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Reportable Quantity Adjustment for Isophorone Diisocyanate" ((RIN2050-A632)(FRL 8217-4)) received on September 6, 2006; to the Committee on Environment and Public Works.

EC-8078. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Inventory Update Reporting Rule; Electronic Reporting" (FRL 7752-8) received on September 6, 2006; to the Committee on Environment and Public Works.

EC-8079. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality

Implementation Plans; Montana; Revisions to the Administrative Rules of Montana" (FRL 8202-1) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8080. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Iowa" (FRL 8213-9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8081. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations for Heavy-Duty Diesel Engines" (FRL 8214-9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8082. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of Allen County 8-hour Ozone Nonattainment Area to Attainment for Ozone" (FRL 8214-5) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8083. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL 8207-9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8084. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2,6-DIPN; Time Limited Pesticide Tolerance" (FRL 8081-9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8085. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; VOC Regulations and One-hour Ozone Attainment Demonstration Shortfall" (FRL 8209-6) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8086. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Ford Motor Company Adjusted Standard" (FRL 8214-2) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8087. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Kentucky; Air Permit Regulations" (FRL 8216-7) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8088. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Texas; Discrete Emission Credit Banking and Trading Program" (FRL 8216-5) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8089. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Texas; Emission Credit Banking and Trading Program" (FRL 8216-3) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8090. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Texas; Highly Reactive Volatile Organic Compound Emissions Cap and Trade Program for the Houston/Galveston/Brazoria Ozone Nonattainment Area" (FRL 8216-6) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8091. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Texas; Revisions for the Mass Emissions Cap and Trade Program for the Houston/Galveston/Brazoria Ozone Nonattainment Area" (FRL 8216-4) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8092. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the Ozone Attainment Plan for the Houston/Galveston/Brazoria Nonattainment Area" (FRL 8216-1) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8093. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Rules for the Control of Highly Reactive Volatile Organic Compounds in the Houston/Galveston/Brazoria Ozone Nonattainment Area" (FRL 8216-2) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8094. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Nevada State Implementation Plan" (FRL 8210-2) received on September 5, 2006; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3850. An original bill to improve ratings quality for the protection of investors and in

the public interest by fostering accountability, transparency, and competition in the credit rating agency industry (Rept. No. 109-326).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 3852. An original bill to enhance certain maritime programs of the Department of Transportation, and for other purposes (Rept. No. 109-327).

By Mr. CRAIG, from the Committee on Veterans' Affairs, with amendments:

S. 3421. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes (Rept. No. 109-328).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself and Mr. COBURN):

S. 3845. A bill to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the "Mickey Mantle Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself and Mr. VOINOVICH):

S. 3846. A bill to provide for the establishment and maintenance of electronic personal health records for individuals and family members enrolled in Federal employee health benefits plans under chapter 89 of title 5, United States Code, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 3847. A bill to designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the "Jacob Samuel Fletcher Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KYL (for himself, Mr. DEWINE, and Mr. CORNYN):

S. 3848. A bill to amend title 18, United States Code, to support the war on terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 3849. A bill to require commercial airlines to make flight delay information available to the public, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY:

S. 3850. An original bill to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. MURKOWSKI:

S. 3851. A bill to provide for the extension of preliminary permit periods by the Federal Energy Regulatory Commission for certain hydroelectric projects in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. STEVENS:

S. 3852. An original bill to enhance certain maritime programs of the Department of Transportation, and for other purposes; from the Committee on Commerce, Science, and Transportation; placed on the calendar.

By Mr. SCHUMER:

S. 3853. A bill to designate the facility of the United States Postal Service located at